

REMARKS

As a preliminary matter, Applicants thank the Examiner for participating in the telephone interview on February 19, 2004 and for clarifying the position of the Office.

Prior to entry of this amendment, Claims 1-40 were pending in this application. By this amendment, Claims 1-6, 9, 11-15, 17, 19-24, 26, 29, 31-36 and 39 are amended; Claims 41-44 are added; and no claims are canceled. Hence, Claims 1-44 are presently pending in this application.

REJECTION BASED ON PRIOR ART

Rejection under 35 U.S.C. §103(a)

The Office Action rejected Claims 1-40 under 35 U.S.C. §103(a) as allegedly unpatentable over Krishnamurthy et al. ("Krishnamurthy"; U.S. Patent No. 6,389,464) in view of Spofford et al. ("Spofford"; U.S. Patent No. 5,913,037).

(A) Summary of Krishnamurthy

Krishnamurthy describes a system comprising a site server 12 to which a number of devices 14 can be connected (col. 5, lines 48-50) and a relational database 80 for storing configuration data which, when used in connection with MIB files, allows native interfaces of devices to be interpreted as SNMP operations, thereby allowing for management of different types of devices 14 connected to the site server 12 (col. 6, lines 58-65). Further, a web server 64 of site server 12 supports a scripting language to allow commands to operate on the relational database 80 (col. 8, lines 24-27) and to specify variables in the scripting language to bind to specific MIB instances, thus indicating to an SNMP agent 82 that a specific procedure should be run during processing of SNMP operations (col. 9, lines 30-38).

The site server 12 is designed to be configured from a remote computer 58 using a web browser (col. 12, lines 39-42) and is programmed to download device MIBs corresponding to devices 14 connected to its ports 92, 94, 96 (col. 14, lines 37-40). For example, a Get command is placed in a native protocol and format that can be understood by a device 14 (col. 16, lines 39-42). The site server is further characterized as a universal device management communication interface (col. 19, lines 23 and 24) and universal device management terminal for managing a plurality of devices from different vendors (col. 20, lines 30 and 31).

(B) Patentable Distinctions Between Cited References and the Claims of the Present Application

(i) Independent Claims

Independent Claims 1, 11, 17, 23, 24 and 31 are amended to clarify all of the references to a “network device”, “managed network device”, and “first managed network device” as a **network packet router**.

The Office Action relies on the site server of Krishnamurthy, which is a computer, for a teaching of a managed network device. A site server is not what is commonly referred to as a managed network device. FIG. 2 and col. 5, line 48 through col. 6, line 28 of Krishnamurthy make it clear that site servers 12a, 12b, 12c operate to communicate with and manage the managed devices 14. Thus, one skilled in the art would interpret the site servers of Krishnamurthy as managing devices as opposed to managed devices.

In contrast, Claims 1, 11, 17, 23, 24 and 31 provide the ability to view values of MIB variables through means other than a network management system, for example, from an

ordinary browser accessing a MIB on a managed device by communicating with the managed device. As is recited in the amended claims, embodiments of the invention are applicable specifically to **network packet routers**. Network packet routers are distinct from a conventional server or computer such as the site server of Krishnamurthy in that routers typically comprise, for example, route processors, forwarding engines and other specialized hardware for intelligently routing packets through a network.

Furthermore, as described in the specification, other routing devices to which embodiments are applicable include certain network switches, network bridges and network hubs that contain sufficient resources to enable the processing recited in the claims. Such devices may also include route processors, forwarding engines and other specialized hardware for intelligently routing packets through a network.

Claims 1, 11, 17, 23, 24 and 31 are patentable over Krishnamurthy in view of Spofford because these references do not teach, suggest or motivate directly querying a network packet router for a value of a MIB variable pertaining to the same packet router. In fact, Krishnamurthy teaches away from these claims because Krishnamurthy is directed at a universal device management communication interface/terminal that foregoes any need to modify or provide additional functionality to the actual network devices being managed, such as routers.

One skilled in the art would not be motivated, at the time the present invention was made, to directly query a routing device, from a web browser, for management information pertaining to the network packet routing device itself. One reason is that none of the cited references disclose or enable the translation of protocols and other processing that would be required of the routing device. For example, the cited references do not suggest or motivate

including HTTP and SNMP daemons and an HTTP-SNMP interface process or translator
within the network packet routing device.

Hence, the disclosures contained in the cited references do not provide sufficient teachings to one skilled in the art to arrive at a working combination of the available teachings that make obvious the subject matter of Claims 1, 11, 17, 23, 24 and 31. An obviousness rejection is not appropriate if substantial reconstruction or redesign of the prior art references is necessary to arrive at the invention, as is the case with Krishnamurthy and Spofford with respect to the referenced claims. Therefore, no combination of the cited references supports an obviousness rejection of Claims 1, 11, 17, 23, 24 and 31 and withdrawal of the rejection of these claims is respectfully requested.

(ii) Dependent Claims

Claims 2-10, 12-16, 18-22, 25-30 and 32-40 depend either directly or indirectly from Claims 1, 11, 17, 23, 24 and 31, and are amended similarly to refer to a network packet router. Therefore, Claims 2-10, 12-16, 18-22, 25-30 and 32-40 are patentable over the references of record for at least the same reasons as presented above in reference to their parent claims. Withdrawal of the rejection of Claims 2-10, 12-16, 18-22, 25-30 and 32-40 is requested.

NEW CLAIMS

Claims 41-44 are dependent upon Claims 1, 11, 17 and 31, respectively, and claim specific subject matter of embodiments described, illustrated and claimed in the application as originally filed. Hence, no additional subject matter is introduced into the application by these claims and no additional search should be required for examination of these claims.

Claims 41-44 are patentable over the references of record because Krishnamurthy and Spofford do not teach, suggest or motivate **hosting an HTTP daemon within a managed network switching device, such as a network packet router.**

CONCLUSION

For at least the reasons indicated above, Applicants submit that all of the pending claims (1-44) present patentable subject matter over the references of record, including that which was cited but not applied, and are in condition for allowance. Therefore, Applicants respectfully request the Office to issue a timely Notice of Allowance in this case. If the Examiner has questions regarding this case, the Examiner is invited to contact Applicant's undersigned representative.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortages in fees due in connection with the filing of this paper, including extension of time fees, or credit any overages to Deposit Account No. 50-1302.

Respectfully Submitted,

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Date: 3/5/05

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450

on 3/5/04 by Clare Fenny